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|---|---|---|--|
| FORM PTO-1390<br>(REV. 11-2000)   |   | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY'S DOCKET NUMBER<br><b>007-001</b>   |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371  |   |   | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>09/762692</b><br><i>Unassigned</i> |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/GB98/00652</b>  | INTERNATIONAL FILING DATE<br><b>March 3, 1998</b> | PRIORITY DATE CLAIMED<br><b>April 30, 1997</b>          |  |
| TITLE OF INVENTION<br><b>OCCLUSION DEVICE</b>   |   |   |  |
| APPLICANT(S) FOR DO/EO/US<br><b>SABARATNAM SABANATHAN</b>   |   |   |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |   |   |  |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> |   |   |  |
| <b>Items 11 to 20 below concern document(s) or information included:</b>  |   |   |  |
| <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: <b>Claims as amended by client's letter of June 23, 1999.</b></li> </ol>   |   |   |  |

U.S. APPLICATION NO. (if known, see 37 CFR 1.21)

INTERNATIONAL APPLICATION NO.  
PCT/GB98/00652ATTORNEY'S DOCKET NUMBER  
007-00121. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO. .... \$1000.00International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00**ENTER APPROPRIATE BASIC FEE AMOUNT =**

CALCULATIONS PTO USE ONLY

\$ 860.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

| CLAIMS                                      | NUMBER FILED | NUMBER EXTRA | RATE       | \$       |
|---|--------------|--------------|------------|----------|
| Total claims                                | 25 - 20 =    | 5            | x \$18.00  | \$ 90.00 |
| Independent claims                          | 3 - 3 =      |              | x \$80.00  | \$       |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) |              |              | + \$270.00 | \$       |

**TOTAL OF ABOVE CALCULATIONS =**

\$ 950.00

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

\$ 475.00

**SUBTOTAL =**

\$ 475.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE =**

\$ 475.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

**TOTAL FEES ENCLOSED =**

\$ 475.00

Amount to be  
refunded:

\$

charged:

\$

- a. ☒ A check in the amount of \$ 475.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 50-1247. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

JENS E. HOEKENDIJK  
P.O. Box 4787  
Burlingame, CA 94011-4787  
(415) 412-3322

SIGNATURE

Jens E. Hoekendijk  
NAME37,149  
REGISTRATION NUMBER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
 )  
SABARATNUM SABANATHAN )  
 )  
Application No.: Unassigned )  
 )  
Filed: Herewith )  
 )  
For: OCCLUSION DEVICE )  
\_\_\_\_\_ )

Examiner: Unassigned

Art Unit: Unassigned

**TRANSMITTAL LETTER FOR  
DECLARATIONS SUPPORTING  
PETITION UNDER 37 CFR 1.137(b)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

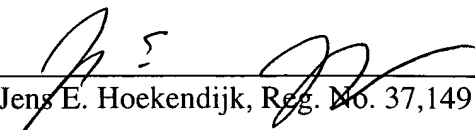
Sir:

Applicant hereby submits two Declarations supporting the Petition Under 37 CFR 1.137(b). One Declaration is by the Applicant, Thirumani Sabanathan, and the other is by an attorney, Mark Lunt, who was involved with preparing and filing the UK priority application and PCT application.

The Declarations show that Applicant 1) did not know of the approaching filing deadline for the U.S. application, 2) was never asked for instructions whether to file a U.S. application and 3) did not learn of the failure to file the U.S. application until after the filing date had passed.

Respectfully submitted,

Date February 9, 2001

  
Jens E. Hoekendijk, Reg. No. 37,149

JENS E. HOEKENDIJK  
P.O. Box 4787  
Burlingame, CA 94011-4787  
(415) 412-3355

09/762692  
532 Rec'd PCT/PTO 09 FEB 2001

U.S. Application. No.: Unassigned

**Based on:**

International Appln No.: PCT/GB98/00652

International Filing Date: March 3, 1998

Applicant: SABARATNAM SABANATHAN

Reference: 007-001


Document: Petition for Revival of International Application  
Response  
Fee Payment  
2 Supporting Declarations

Express Mail label number: EK113453767US

Date of Deposit: February 9, 2001

I hereby certify that this is being deposited with the  
United States Postal Service "Express Mail Post Office  
to Addressee" service under 37 CFR 1.10 on the date  
indicated below and is addressed to the Assistant  
Commissioner for Patents, Washington, DC 20231

By:

  
Loni M. Cummings